

Document: Readopted Rules

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TITLE 470 DIVISION OF FAMILY AND CHILDREN

LSA Document #01-60

Under IC 4-22-2.5-3, the Division of Family and Children intends to readopt rules in anticipation of IC 4-22-2.5, providing that all rules of the Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002.

OVERVIEW: Rules to be readopted and amended are as follows:

- 470 IAC 2-5-1 Definitions
- 470 IAC 2-5-2 Eligibility and fees for parent locator and child support enforcement services; collection processing service
- 470 IAC 2-5-3 Recovery of costs in non-AFDC child support cases
- 470 IAC 2-5-5 Safeguarding information
- 470 IAC 2-5-6 Funding and withholding of funds to the clerk of the circuit court
- 470 IAC 2-5-7 Cancellation of cooperative agreement with the prosecuting attorney; notice; withholding of reimbursement; failure to take legal action
- 470 IAC 2-5-10 Date of collection; individual
- 470 IAC 2-5-12 Requirements for converting support payments received directly by the recipient; condition for continuing eligibility for assistance
- 470 IAC 2-5-13 Distribution of child support collections
- 470 IAC 2-5-14 Distribution of support to non-AFDC participants who receive child support enforcement services
- 470 IAC 2-5-15 Recoupment of an overpayment of child support collections
- 470 IAC 2-5-20 Withdrawal from non-AFDC child support services, notice and payment of charges; cessation of collections
- 470 IAC 2-5-22 State income tax refund intercept

Amends 470 IAC 2-5-1 by updating division and program titles in child support definitions, repealing subdivision (7) as unnecessary, and eliminating reference to repealed Indiana Code sections. Amends 470 IAC 2-5-2 and 470 IAC 2-5-3 by updating division and program titles and eliminating reference to repealed Indiana Code sections. Repeals 470 IAC 2-5-4 as duplicating 45 CFR 302.33 (Services to individuals not receiving title IV-A or title IV-E-foster care assistance). Amends 470 IAC 2-5-5 by updating division and program titles, adding (a) and (b) to replace safeguards to information from users of Parent Locator and Child Support Services, which were in repealed 45 CFR 303.21, and eliminating reference to repealed Indiana Code sections. Amends 470 IAC 2-5-6 and 470 IAC 2-5-7 by updating titles and eliminating reference to repealed Indiana Code sections. Repeals 470 IAC 2-5-8 as duplicating IC 12-17-2-26 (incentive payments for enforcing and collecting support rights). Repeals 470 IAC 2-5-9 as duplicative due to proposed changes to 470 IAC 2-5-5. Amends 470 IAC 2-5-10 by updating titles and eliminating reference to repealed Indiana Code sections. Repeals 470 IAC 2-5-11 as no longer necessary due to repealing 470 IAC 2-5-1(7). Amends 470 IAC 2-5-12, 470 IAC 2-5-13, and 470 IAC 2-5-14 by updating titles and eliminating reference to repealed Indiana Code sections. Amends 470 IAC 2-5-15 by updating terminology, rephrasing, and reorganizing to clarify recoupment of overpayments by offset procedures. Repeals 470 IAC 2-5-16, 470 IAC 2-5-17, and 470 IAC 2-5-18 as not relevant to Title IV-D, Child Support. Repeals 470 IAC 2-5-19 as covered in 470 IAC 1-4 (administrative appeals). Amends 470 IAC 2-5-20 by updating titles and eliminating reference to repealed Indiana Code sections. Repeals 470 IAC 2-5-21 as replaced by IC 31-16-15-10(b)(9) (notice to income payor of activation order; pro rata distribution). Amends 470 IAC 2-5-22 to reflect IC 12-17-2-21 (support-related duties of bureau).

Questions or comments on the readoption may be directed by mail to the Division of Family and Children, 402 West Washington Street, Room W392, Indianapolis, Indiana 46204 or by electronic mail to larrowsmith@fssa.state.in.us. Statutory authority: IC 12-8-8-4; IC 12-13-2-3; IC 12-13-5-3; IC 12-16-1-3; IC 12-16-3-3; IC 12-17-12-17; IC 12-17-15-7; IC 12-17.4-2-4.